

REMARKS

New Claims 13-15 are added herein. Claims 1-15 are pending. Claims 1-6 and 8-10 are amended herein. No new matter is added as a result of the claim amendments.

103(a) Rejections

Claims 1, 4-7 and 9-12

The instant Office Action states that Claims 1, 4-7 and 9-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ussery et al. ("Ussery;" US 6,075,935) in view of Nevarez et al. ("Nevarez;" US 6,189,103). The Applicant has reviewed the cited references and respectfully submits that the present invention as recited in Claims 1, 4-7 and 9-12 is not anticipated nor rendered obvious by Ussery and Nevarez, alone or in combination.

Applicant respectfully submits that there are significant differences between the combination of Ussery and Nevarez and the present claimed invention. Ussery and Nevarez (alone or in combination) do not show or suggest a web server class library that includes web server class files. Ussery and Nevarez (alone or in combination) do not show or suggest a virtual machine class library that includes virtual machine class files. Ussery and Nevarez (alone or in combination) do not show or suggest a virtual machine class library that includes virtual machine class files for web server class files in a web server class library. Ussery and Nevarez (alone or in combination) do not show or suggest the forming of a first element (in particular, a web server core) from the web server class library and a second element (in particular, a virtual machine) from the virtual machine class library, the first and second elements in combination constituting a web server.

In summary, Applicant respectfully submits that Ussery and Nevarez, alone or in combination, do not show or suggest a program executed on a device that performs the functionality described by the present claimed invention and that is compiled in the manner described by the present claimed invention.

Specifically, Applicant respectfully submits that Ussery and Nevarez, alone or in combination, do not show or suggest a method of providing an embedded web server for a device, comprising “providing a web server class library and a virtual machine class library ... for forming different application-specific web servers that execute on the device; ... and ... compiling the web server by selecting, from the web server class library and the virtual machine class library, class files required to run the web application on the device to form the web server, wherein the web server is specific to the web application and wherein the web server exchanges messages with other devices in communication with the device via a network” as recited in independent Claim 1. Claims 4-5 are dependent on Claim 1 and recite additional limitations.

Applicant also respectfully submits that Ussery and Nevarez, alone or in combination, do not show or suggest a system for providing a web server for a device running a web application, comprising “a web server class library that includes web server class files ...; a virtual machine class library that includes virtual machine class files ... for the web server class files ...; and a compiler that accesses the web server class library and the virtual machine class library, identifies the web application, selects from the web server class library and the virtual machine class library the web server class files and the virtual machine class files

required to run the web application on the device, forms an application-specific web server core that is specific to the web application, and forms an application-specific virtual machine that is specific to the web application, wherein the application-specific web server core and the application-specific virtual machine in combination constitute an application-specific web server that enables the web application to execute on the device” as recited in independent Claim 6. Claims 7 and 9 are dependent on Claim 6 and recite additional limitations.

In addition, Applicant respectfully submits that Ussery and Nevarez, alone or in combination, do not show or suggest a web structure for a device, comprising “a web application that performs a predetermined web function; and an application-specific web server core and an application-specific virtual machine that together constitute an application-specific web server that enables the web application to execute on the device, wherein the application-specific web server core and the application-specific virtual machine are compiled from a web server class library and a virtual machine class library respectively, wherein the web server class library includes web server class files for different web applications and for forming different application-specific web server cores, and wherein the virtual machine class library includes virtual machine class files for the different web applications and for the web server class files for forming different application-specific virtual machines, wherein the application-specific web server allows the device to be accessed by other devices in communication with the device via a network” as recited in independent Claim 10. Claims 11-12 are dependent on Claim 10 and recite additional limitations.

Therefore, Applicant respectfully submits that the basis for rejecting Claims 1, 6 and 10 under 35 U.S.C. § 103(a) is traversed, and that these claims are in condition for allowance. As such, Applicant respectfully submits that the basis for rejecting Claims 4-5, 7, 9 and 11-12 under 35 U.S.C. § 103(a) is also traversed, as these claims are dependent on allowable base claims and contain additional limitations that are patentably distinguishable over the combination of Ussery and Nevarez.

Claim 2

The instant Office Action states that Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ussery in view of Nevarez and further in view of Breslau et al. ("Breslau;" US 5,761,512). The Applicant has reviewed the cited references and respectfully submits that the present invention as recited in Claim 2 is not anticipated nor rendered obvious by Ussery, Nevarez and Breslau, alone or in combination.

As presented above, Applicant respectfully submits that independent Claim 1 is not shown or suggested by the combination of Ussery and Nevarez. Claim 2 is dependent on Claim 1 and recites additional limitations.

Applicant respectfully asserts that Breslau does not overcome the shortcomings of Ussery and Nevarez. Applicant respectfully submits that Breslau, alone or in combination with Ussery and Nevarez, does not show or suggest a method comprising "providing a web server class library and a virtual machine class library ... for forming different application-specific web servers that execute on the device; ... and ... compiling the web server by selecting, from the web server class library and the virtual machine class library, class files required to run the web application on

the device to form the web server, wherein the web server is specific to the web application and wherein the web server exchanges messages with other devices in communication with the device via a network” as recited in independent Claim 1.

In summary, Applicant respectfully asserts that the features of the present invention recited in independent Claim 1 are not shown or rendered obvious by Ussery, Nevarez and Breslau, alone or in combination. Therefore, Applicant respectfully submits that the basis for rejecting Claim 2 under 35 U.S.C. § 103(a) is traversed, as Claim 2 is dependent on an allowable base claim and contains additional limitations that are patentably distinguishable over the combination of Ussery, Nevarez and Breslau.

Claims 3 and 8

The instant Office Action states that Claims 3 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ussery in view of Nevarez and further in view of Madany et al. (“Madany;” US 6,199,196). The Applicant has reviewed the cited references and respectfully submits that the present invention as recited in Claims 3 and 8 is not anticipated nor rendered obvious by Ussery, Nevarez and Madany, alone or in combination.

As presented above, Applicant respectfully submits that independent Claims 1 and 6 are not shown or suggested by the combination of Ussery and Nevarez. Claim 3 is dependent on independent Claim 1 and recites additional limitations, and Claim 8 is dependent on independent Claim 6 and recites additional limitations.

Applicant respectfully submits that Madany does not overcome the shortcomings of Ussery and Nevarez. Applicant respectfully asserts that Ussery, Nevarez and Madany, alone or in combination, do not show or suggest a method comprising “providing a web server class library and a virtual machine class library ... for forming different application-specific web servers that execute on the device; ... and ... compiling the web server by selecting, from the web server class library and the virtual machine class library, class files required to run the web application on the device to form the web server, wherein the web server is specific to the web application and wherein the web server exchanges messages with other devices in communication with the device via a network” as recited in independent Claim 1, nor do Ussery, Nevarez and Madany, alone or in combination, show or suggest “a web server class library that includes web server class files ...; a virtual machine class library that includes virtual machine class files ... for the web server class files ...; and a compiler that accesses the web server class library and the virtual machine class library, identifies the web application, selects from the web server class library and the virtual machine class library the web server class files and the virtual machine class files required to run the web application on the device, forms an application-specific web server core that is specific to the web application, and forms an application-specific virtual machine that is specific to the web application, wherein the application-specific web server core and the application-specific virtual machine in combination constitute an application-specific web server that enables the web application to execute on the device” as recited in independent Claim 6.

In summary, Applicant respectfully asserts that the features of the present invention recited in independent Claims 1 and 6 are not shown or

rendered obvious by Ussery, Nevarez and Madany (alone or in combination). Therefore, Applicant respectfully submits that the basis for rejecting Claims 3 and 8 under 35 U.S.C. § 103(a) is traversed, as these claims are dependent on allowable base claims and contain additional limitations that are patentably distinguishable over the combination of Ussery, Nevarez and Madany.

Conclusions

In light of the above remarks, Applicant respectfully requests reconsideration of the rejected claims.

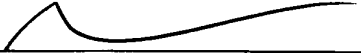
Based on the arguments presented above, Applicant respectfully asserts that Claims 1-12, as well as new Claims 13-15, overcome the rejections of record and, therefore, Applicant respectfully solicits allowance of these claims.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO LLP

Date: 7/11/04



John P. Wagner, Jr.
Reg. No. 35,398

Two North Market Street
Third Floor
San Jose, California 95113
(408) 938-9060